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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: He et al.

Attorney Docket No.: PF140P1D1

Serial No.: 09/613,508

Group Art Unit: 1653

Filed: July 10, 2000

Examiner: Bugaisky, G.

Title: Interleukin-1  $\beta$  Converting Enzyme  
Like Apoptosis Protease-3 and 4

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-BW listed on the attached Form PTO/SB/08. A copy of each reference is enclosed.

Copies of references AC-BW were submitted by Applicants or cited by the Examiner in connection with related U.S. Patent Application Serial No. 08/334,251, filed November 1, 1994, U.S. Patent Application Serial No. 09/124,934, filed July 28, 1998, and U.S. Patent Application Serial No. 09/895,263, filed July 2, 2001.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application and consider the information contained therein during the prosecution of this application.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application are related to SEQ ID NOS:103167, 179522, 187075, and 202317 in copending U.S. Patent Application Serial No. 09/912,293 and SEQ ID NO:14507 in copending U.S. Patent Application Serial No. 09/912,292. A legible copy of those portions of U.S. Patent Application Serial No. 09/912,293 and U.S.

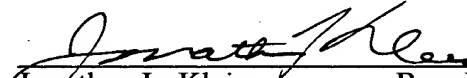
Patent Application Serial No. 09/912,292, which caused them to be listed on the attached revised Form/PTO/SB/08 are submitted herewith as references AA and AB.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), Applicants believe that this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge the required fee to our Deposit Account No. 08-3425.

Respectfully submitted,

Date: November 1, 2001

  
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